

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

March 5, 2002

5:30 PM

Chairman Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Gatsas, Guinta (late), Osborne, Forest, O'Neil

Messrs: Deputy Chief Albin, Deputy Solicitor Arnold, D. Parker, F. Thomas,
K. Dillon, Sgt. Disabato

Chairman Gatsas addressed Item 3 of the agenda:

Communication from Leo R. Bernier, City Clerk, submitting a petition to increase compensation to election officials.

Clerk Bernier stated I have submitted three proposals for your review. In the last five years we have had a difficult time in getting ward officials to work and it puts a burden on our office because of the changing election laws and it is very important that we continue having seasoned ward officials to help us out to administer the election in a fair and proper way. I think it is time that we look at the ward elected officials compensation. The last time we looked at this and increased it was in the early 1990's. I ask you to look at this and maybe if the Committee wishes we can start planning when we have our budget presentation to add some increase to the ward elected officials.

Alderman O'Neil stated I am both a former selectman and moderator in Ward 4. It was a problem back in the 1980's. I think it has only gotten worse and as we know from some of the recent election problems across the country, attracting and retaining high caliber election officials is very important. I want to commend the City Clerk for the professionalism that he brings to the elections. Knock on wood we have not had a problem here. I have been involved in a recount and it didn't change. I fully support moving forward with this. I am not sure where we go with it. Do we refer it to the Human Resource Committee or to the full Board or to the budget process?

Clerk Bernier replied according to the ordinance it is the Committee on Administration that makes the decision. What I would suggest is tabling this item. There are three proposals in front of you and at our next meeting we can discuss it further in how we can implement it in next year's budget.

Chairman Gatsas stated I think Alderman Wihby brought up at the last Board meeting the possibility of consolidating voting places. What are the chances of doing that?

Clerk Bernier replied with State elections, they look at each ward as a town. We would probably have to address it on the State level to give us the opportunity to do that. We would have to change some State election laws to give us flexibility.

Chairman Gatsas stated I went to Derry in the last primary and in Derry at one of the schools they have four districts. Two of the districts have four booths to vote in and another two districts have four booths to vote in and yet they come in and use one voting list for each section.

Clerk Bernier replied Derry is a town in itself so they have the flexibility to do that. If we want to meet Alderman Wihby's goal of having one central location we would have to address it on the State level and change the State law to give us that opportunity.

Chairman Gatsas asked what would that do to the total cost of...if we had a centralized location for voting like the Armory.

Clerk Bernier answered you would then make the City of Manchester one district so you would only have one moderator, one ward clerk and you would have it broken down into 12 divisions.

Chairman Gatsas asked what would that do to the cost.

Clerk Bernier answered it would probably drop the cost by...it costs approximately \$2,500 to do each ward so if you take the 12 wards and make them 1 ward it would cost you \$2,500 per election.

Chairman Gatsas asked so we would be reducing the cost by some \$20,000.

Clerk Bernier answered actually right now it costs approximately \$15,000 for the 12 wards per election.

Chairman Gatsas stated so if it is \$2,500 per election that is \$5,000 and if the cost is \$30,000 it would be a savings of about \$25,000.

Clerk Bernier replied per election. We have \$15,000 budgeted so it would be probably \$3,000. Just to clarify that is without any increase.

Alderman O'Neil stated anything we can do to look at that is important but I would just caution against making it any more difficult with limited locations to the voter. We don't

get a great turnout as it is and I think that making it less convenient could even decrease those numbers.

Clerk Bernier replied the issues you need to look at are traffic, parking, etc. It can be done.

On motion of Alderman Guinta, duly seconded by Alderman O'Neil it was voted to table this item.

Chairman Gatsas addressed Item 4 of the agenda:

Communication from Matthew Normand, Deputy City Clerk, submitting documents regarding the AT&T Broadband Lawsuit for informational purposes.

On motion of Alderman Guinta, duly seconded by Alderman O'Neil, it was voted to receive and file.

Chairman Gatsas addressed Item 5 of the agenda:

Copy of a communication from Deputy Clerk Matthew Normand to Jerry Reese of AT&T Broadband regarding subscriber complaints.

On motion of Alderman Guinta, duly seconded by Alderman O'Neil, it was voted to table this item.

Chairman Gatsas addressed Item 6 of the agenda:

Communication from Deputy Fire Chief David Albin submitting a proposed ordinance amendment for increased fees for various fire alarm and fire sprinkler inspections.

Deputy Chief Albin stated the purpose of the increase in fees for inspection purposes for fire alarm and sprinkler inspections is basically two-fold. Number one, it is to minimize the need for reinspection of the systems. What we are finding now is that we require a 100% test certificate when we go out to do a fire alarm test or a life safety test. What that is is a certificate from the contractor saying that they have taken the system, tested it all out, made sure all of the devices and everything that is in the system works prior to our arrival. What we are finding here now is that the contractors and the technicians and the trades people have discovered that it is a lot cheaper for the City to send out two qualified inspectors to basically do their punch list items or their troubleshooting type of arrangements for them rather than hiring on a couple of licensed technicians to do the work. We are currently charging \$35/hour with a minimum of \$70 to send two people out there. What they would end up doing when they send their own people out is it

usually takes two to three to four people to go out and actually do the tests without having the two inspectors from the Fire Department there. They are finding that it is cheaper for us to show up on the job and do the work for them. They submit the paperwork to us but the work isn't done. We get the 100% test certificate two days before we go out to do the job and when we get up on the job and we show up there, there are electricians still wiring fire alarm panels and their sprinkler fitters still hooking up pipe. It is just an unacceptable position. We try to deal with these contractors and the people who are out there as customers but it is just not fair to the other contractors and technicians who are trying to play straight with this. The reason I say that is when you do a comprehensive life safety systems check it is not something that you can just do at the spur of the moment. It involves a group of different people, generally electricians, alarm technicians and sprinkler fitters and you have to have them all on the job at the same time. When we schedule an inspection, depending on the amount of devices in the system or the complexity of the inspection, it can take up to three hours. What the secretary at the Communications Division does is block out a three hour time period. Once we effectively block that out it is impossible for us to jump off that job and go to another one because the general contractor who is running the other job can't assemble all of the necessary people at the drop of a hat to do it so what we have done is we have wasted three hours worth of work. It is our contention that if we raise the fees for the second inspection it would put a stop to the unscrupulous contractor having us come in basically do his work for him at the expense of the other contractor who is trying to do the job properly. I went down and sort of did a recompilation of all of the inspections that we have done in the past fiscal year. We have done 141 inspections and of those, 51 we had to go back and do repeats on. Generally the repeat business is for the more complex systems and out of those...when I went back and took a look at them and sat down with the inspectors who did them they are saying that anywhere between 40 and 42 of them the job wasn't even completed when we got there. That is not counting the ones where we have gone there and found problems and we said well if you are going to finish up this afternoon we will take a quick ride by and punch out the little items. We didn't even count those as a reinspection. We are looking at 40% of the inspections that we do being done improperly the first time.

Chairman Gatsas asked what are the current fees.

Deputy Chief Albin answered we charge \$35 per man per hour with a two hour minimum so it is \$70.

Chairman Gatsas asked and we are looking to increase it to \$50 and \$100.

Deputy Chief Albin answered correct. The last modification to this ordinance as I read it was somewhere back in the early 90's. In the code of ordinance book it says 2/7/95 but I think that was just the last reprinting. I have been in my position now for seven years and we have never changed that. That was there when I got there. I think we are just trying

to bring things in line with inflation and reflect the actual cost of sending the inspector out and the gasoline and the rest.

Chairman Gatsas asked why is the increase on the initial inspection so moderate when the increase on the reinspection is so drastic.

Deputy Chief Albin answered basically to try to prevent contractors from using us as a low price alternative to hiring their own personnel to do the work. When I sat down and costed the thing out with the people who actually do the work, I figured it on the actual labor costs of an electrical contractor hiring qualified licensed electricians and qualified sprinkler fitters to do the work and the basic price that would come out for them to do the work as opposed to having two Fire Department personnel there at about \$150/hour.

Chairman Gatsas asked once you do the reinspection do you give them a copy of that reinspection punch list.

Deputy Chief Albin replied do you mean after the first inspection.

Chairman Gatsas responded after the reinspection.

Deputy Chief Albin stated 90% of the time after the reinspection there is no punch list, but if there is one it gets forwarded from Communications to the contractor within a couple of hours.

Alderman O'Neil asked if this passes the full Board can we get this information out not only through your department but maybe stick it on the counter at the Building Department. We hear regularly that contractors don't know about our changes. Can we just make sure that there is an effort to get the word out, not only at the Fire Department but with other regulatory agencies in the City?

Deputy Chief Albin answered absolutely. Just as an aside, we maintain a mailing list of all of the contractors that do business with the Fire Department. We have a mail merge document that constantly goes out any time we make a change and we plan on doing a mailing to them anyway but we will certainly make sure that all of this gets distributed. We are also working to post this on the Fire Department's part of the City's website.

On motion of Alderman O'Neil, duly seconded by Alderman Osborne, it was voted to approve the proposed ordinance amendment.

Chairman Gatsas addressed Item 7 of the agenda:

Communication from Timothy M. Soucy, Chief of Environmental Health,
regarding enforcement of the new Solid Waste and Littering Ordinance.

Alderman O'Neil stated I think this is a step in the right direction but Tim and I have spoken and I would still like to see the groups continue to meet and come up with a more comprehensive plan that would allow...I am pleased to see that Highway and Police are involved but I would certainly like to see Fire if they see a garbage situation out on an investigation that they have the power to do it and I would ask that the Committee continue to meet to see how we can improve and expand what has been recommended here. I do think this is a step in the right direction and I want to thank the Health Department for leading the charge on this.

On motion of Alderman O'Neil, duly seconded by Alderman Guinta, it was voted to receive and file this item.

Chairman Gatsas addressed Item 8 of the agenda:

Communication from Donna M. Parker, American Cancer Society, requesting permission to hold their "Relay For Life" event at Singer Park on May 17-18, 2002. This event will run over an 18-hour period.

Alderman Osborne moved to amend the ordinance.

Chairman Gatsas asked is this really entertainment and do you need a license to hold this event because I see it more as a fundraising event than an entertainment event.

Ms. Parker answered it is a fundraising event. We were under the understanding that we need a permit to run this event because we do have a DJ that runs through the 18 hours.

Chairman Gatsas asked where did you get that information from, the City Clerk's Office.

Ms. Parker answered from the Police Department.

Chairman Gatsas asked is there somebody here from the Police Department to speak on this.

Deputy Clerk Normand stated this was brought up if you recall a year ago. This event, which has several games...if you look in your package they have some different games that they do and a DJ and obviously this is a fundraiser. A year ago myself and Tom Arnold explained to the Committee that this, in fact, was entertainment and it would be hard to single out a group, a commendable group such as the American Cancer Society and say yes you can do that and have a DJ at a club somewhere and say you can't do that. There is nothing that says you have to be a fundraiser or not. The amendment at the time would have allowed the Committee on Administration to review on a case by case basis and there is some criteria that just doesn't allow anybody to come before the Committee.

They would have to follow some specific criteria that would allow them to appeal in the first place. That amendment would have allowed the likes of the American Cancer Society and other groups that certainly have a legitimate reason to be down there for their 18-hour event. That is essentially it. It is entertainment and I think that on the recommendation of the Solicitor's Office as well we want to maintain a consistent licensing effort.

Chairman Gatsas asked did I also understand that your first choice for a location was Livingston Park.

Ms. Parker answered we looked at a number of locations and one of them was Livingston Park. At the time we looked at it there was a problem...the scheduling had not come out at that time and we schedule our events almost a year in advance. At that time they couldn't secure a date with us so we were told by Singer Park that they could secure that date so we decided to have it there.

Chairman Gatsas stated I still don't believe that it is entertainment. It is a fundraiser.

Alderman O'Neil asked can we get clarification from the City Solicitor on the definition.

Deputy Solicitor Arnold answered the definition of entertainment under the current ordinance is "an exhibit of natural or artificial theatrical performances or other shows". I think that would fall within this category especially where they have a DJ that is planning on playing all 18 hours. I note that the communication from the American Cancer Society also made reference to other...I don't know if events is the right term but other things that will be taking place during this 18 hours.

Chairman Gatsas asked if they had a radio there instead of a DJ you wouldn't consider that entertainment.

Deputy Solicitor Arnold answered I guess it would depend on what type of radio. Obviously if they are playing music over loudspeakers, perhaps whether you have a DJ or not is irrelevant.

Alderman O'Neil stated we had quite a bit of discussion on this last year and I think it is pretty clear that we were concerned about the late night dancing events in the clubs going on around the City and that is what prompted the passage of this ordinance. I recall at the time that we tried to come up with an example of where this would come back against us. It may have been that...I don't even know where this event was held. Where was this event held?

Ms. Parker replied it was held at Singer Family Park.

Alderman O'Neil stated actually your event was before we worked on the ordinance. I may have been one of the ones that voted for the ordinance, but I certainly did not vote for it to stop these types of events from happening. It was with regards to the late night dancing in the clubs. If Alderman Osborne has an amendment that might address this, I would certainly be open to that discussion.

Chairman Gatsas stated it is the same amendment that you and I voted for last time in the Committee. Do you have a copy of that amendment?

Alderman O'Neil stated the concern was how often would the Committee on Administration be hearing appeals but I don't think it is going to happen that often to be honest with you and I will make it clear tonight that I am not going to vote to overrule the Clerk's decision with regards to late night dancing at clubs but this is one that I would certainly vote to change.

Chairman Gatsas asked so we must first vote on this amendment and then the ordinance and send it to the full Board tonight.

Deputy Clerk Normand answered we could do that.

Chairman Gatsas asked from there it goes to Bills on Second Reading, which we can suspend the rules on tonight.

Deputy Clerk Normand answered yes.

Chairman Gatsas asked and from there we can get the "Relay for Life" a license.

Deputy Clerk Normand answered yes.

On motion of Alderman O'Neil, duly seconded by Alderman Guinta, it was voted to amend Section 111.70 of the Code of Ordinances of the City of Manchester to allow the Committee on Administration the ability to review appeals for entertainment licenses denied by the City Clerk due to the hours of operation and to approve such applications under certain conditions, and to recommend that the Board of Mayor and Aldermen suspend the rules and place the Ordinance on its final reading by title only on March 5, 2002 without referral to the Committee on Bills on Second Reading and the Committee on Accounts, Enrollment & Revenue Administration.

Chairman Gatsas addressed Item 9 of the agenda:

Hiring of a Contract Compliance Officer for the City.

Alderman O'Neil stated I think this needs some more consideration. I am not ready to act on it tonight. I think there are some merits but I also think there are some downfalls with it. I am not sure if it is a financial position or legal position or none of the above.

Chairman Gatsas asked Frank Thomas and Kevin Dillon to come forward to speak on this issue. Were you folks privy to the audit?

Mr. Thomas answered no we weren't.

Mr. Dillon answered no. That is certainly one of my principal concerns here, not only with this recommendation but with a number of recommendations in that audit. Standard practice from locations where I have been involved in the past is that when an audit is conducted an exit interview is conducted with impacted departments. An interview would be held with the department head and I find it hard to believe that this determination could be made without talking to the department heads. I believe there is a statement...

Chairman Gatsas interjected there is a statement in there about the Airport isn't there.

Mr. Dillon stated there is also another recommendation about the Airport that I have filed a letter with the full Board expressing my concern over. Quite frankly, I take umbrage with this observation that says department heads and project managers, that these individuals generally do not have the expertise to properly administer contracts. At the Airport alone, there is approximately \$320 million worth of construction contracts that I personally administrate at the Airport, let alone all of the agreements with the airlines. Quite frankly, I don't believe the audit firm even bothered to check what is in place in terms of an organization to administer those contracts. At the Airport, we have our own contract administration and property management unit and certainly that flies in the face of this recommendation. I think the bottom line from the Airport's perspective is I would be against any creation of an added bureaucracy to get contracts for the Airport, particularly as it relates to construction but generally any contracts at the Airport. All I see this recommendation doing is creating an added bureaucracy.

Mr. Thomas stated quite frankly my correspondence noted those same two concerns. Obviously the first one is I think that this position potentially could just create delays and added bureaucracy in the whole procurement process. We have been trying to work to streamline that process and if anything give us the tools to make it work faster. In addition, again I take offense at some of the statements that were made in the audit also. Department of Public Works does put out a lot of contracts, a lot of long-term contracts and as far as I know we have never fallen short in our duties to administer these contracts properly. In addition, as the Airport Director noted to make a statement that department heads don't have the expertise to administer these contracts quite frankly is ludicrous. I

have a total operating budget of \$40 million a year and to say that I can't administer a contract is ludicrous.

Chairman Gatsas stated gentlemen I will tell you that under new business this evening at the full Board I will bring you forward so that you can voice your opinions to the entire Board because I find it absolutely insane that the department heads running this City don't have an opportunity to look at an audit report. That just doesn't make sense. You wouldn't do it in private life and it shouldn't be done here, especially when they are coming down on you with an ax. I don't think this is so much about slowing down progress. I think what this is talking about is somebody looking at a contract once you folks have entered into it so that if there are time glitches as there were two years ago about increased fees at the parking garages that somebody is seeing those and picking those up along with the contract that I was talking about for parking at the civic center where \$325,000 was supposed to be set aside before opening and we haven't seen that yet or any reference to why that happened. If somebody is looking at that or even a closing officer on a document somebody should be bringing it up. Again, I don't know where this...

Alderman O'Neil interjected I think you bring up two very good examples, Mr. Chairman, and I think they have to do with lack of one department or person having the responsibility for parking in this City. There must be three or four different departments that have their hands in on parking in one way or another and I think that is our downfall with parking. I don't think we have ever, to the best of my knowledge, run into any problems at the Highway Department or at the Airport since I have been around. Where we seem to run into problems is in areas where we have multi-jurisdiction and maybe that is where we need to be looking, to have one person or one department responsible for an item such as parking.

Chairman Gatsas stated my concern is that somebody is there for all contracts that understands that there should be some sort of time-frame, whether it is parking or a lease or something else that is coming due so somebody understands that. Whether that goes under the Destination Manchester Coordinator position or...I don't think this is a difficult one. I think once you load it into a computer it is pretty easy to keep track of.

Alderman O'Neil stated I know there have been a number of contracts that you have brought to the Board's attention in the past. Do we have any idea what that list looks like?

Chairman Gatsas asked do you mean have I kept one personally. If you want to trust my memory, I could probably relay them to you. I think that certainly somebody looking at contracts should be done but I don't think we should be hiring a new person to do it. Now, Frank, once you complete a contract and you are done with it...other than if somebody has not met their bonding obligation or if there is a problem with the

project...that is really when you are going back on a contract bid. Anything that you do as a contract you have the Solicitor look at that contract beforehand, right?

Mr. Thomas replied correct. We run it through the Solicitor's Office and we have the Mayor's Office sign it and we send copies of our contracts to the Finance Department. We do also have long-term contracts, such as ServiceMaster and solid waste contracts that we have to insure that CPI adjustments are made during the course of the year so we track the contracts. It is not like we do a construction contract and when it is over we close it out and walk away from it. We have quite a few long-term contracts.

Chairman Gatsas stated I am not so much concerned with the service end of it because if you are getting a service that is being provided to the City and you have not paid enough they are going to remind you that there is a CPI clause in that contract. My concern is more on the revenue side that if the City is supposed to get an increase in that revenue, chances are somebody is not going to remind us that here are some extra dollars that are owed to the City.

Mr. Thomas replied I understand and I understand that that was the intent of the comments in the audit report. However, it was a blanket statement that all contracts should fall under this compliance officer.

Mr. Dillon stated I agree with your point, Chairman, but I really think it needs to be looked at department by department. Again, I can only speak about the Airport's experience. We have a contract compliance section out at the Airport and, in fact, we are in the process right now of automating that contract monitoring system. As you know we have long-term leases, in some cases 30+ years, that each year there is a trigger for escalation. Sometimes it is every five years. We have a section out at the Airport and people have the sole responsibility to keep on top of those escalations and now it is being automated. I really think you need to look at each individual department to see what they have in place and maybe corrections need to be made to certain departments but again I want the Board to feel comfortable that the Airport is on top of its contracts and has always been on top of its contracts.

Chairman Gatsas asked what is the recommendation of this Committee on hiring a Contract Compliance Officer for the City.

Alderman O'Neil asked would it be possible...I mean we need to identify where our problems are. We can't just say there is a problem City wide because I don't believe there is. I think we need to somehow identify where our deficiencies are. We know parking is one of them. Are there others that are out there? My memory is not as good as yours.

Chairman Gatsas answered I think we should table this and have the Finance Director report to us as to where these observations that were made by the audit stand.

On motion of Alderman O'Neil, duly seconded by Alderman Guinta, it was voted to table this item.

Chairman Gatsas asked the City Clerk to send a letter to the Finance Director for report back to the Committee on the audit observations.

Alderman O'Neil stated I think it would be appropriate that if they find something or have a comment about a department that they let that department know.

Alderman Osborne stated I think a department head should be able to manage his own department and I don't think we should be hiring a manager to manage a manager.

TABLED ITEMS

10. Communication from Mark Tomaszewski regarding owning and operating a tattoo parlor in Manchester.

On motion of Alderman O'Neil, duly seconded by Alderman Osborne, it was voted to remove this item from the table.

Alderman O'Neil stated we talked about zoning ordinance and I don't see any recommendation with regards to that. Do we have any yet?

Chairman Gatsas replied I have a letter here from the Building Department that doesn't talk about any zones where this would be permitted. That is something that we have to talk about and also amend the ordinance. I think the City Solicitor...I think we have a zoning ordinance that we received from some other communities but I would like to get this finalized and put to bed one way or the other with an ordinance in place or not by the next meeting of this Committee and have some recommendations from the Building Department and the Planning Department on where these uses would be able to go. I think the Health Department can participate and I think they spoke to us previously.

Alderman Forest stated I think Fred Rusczyk stated that the State would enforce this but we have nothing in place for how we would do it.

Alderman O'Neil moved to have Health, Planning, Building, and Solicitor come back to the Committee with a final package with an ordinance, what zones this would be permitted in, and who would administer the application process (State, City or both). Alderman Guinta duly seconded the motion.

Chairman Gatsas called for a vote on the motion. There being none opposed, the motion carried.

11. Copies of communications addressed to Alderman Levasseur from Attorney Ross, Mitchell Sawaya and Raymond Dugdale relative to parking problems, noise, litter and other nuisances by patrons of the Strange Brew Tavern located at 88 Market Street.

On motion of Alderman O'Neil, duly seconded by Alderman Guinta, it was voted to remove this item from the table.

Sgt. Disabato stated back at the end of August the Police Department asked for conditions to be put on the Strange Brew license due to neighbor's complaints of loud noise, littering and parking problems. The Board recommended that rather than do the conditions, all parties sit down and try to come to some kind of mutual agreement and that is what we did. During the month of September, I spoke with Mitch, the owner of Strange Brew, his attorney Paul Kfoury, Atty. Ross for the neighbors and other neighbors. Mitch took steps to remedy the problems and the concerns of the residents. Regarding patrons leaving and being noisy, he handed out flyers reminding them that they are in a mixed neighborhood with residential. As for parking, the motorcycles were removed from the alleyway and if they did park there they were tagged by the Police Department so we did some enforcement actions as well working with him. Mitch also on his own, which is one of the conditions that we asked to be put on his license, police the area. He has done that himself. Back at the end of September I received a letter from Atty. Ross praising the communications that we had and saying that the problems seemed to be solved. The only problem that really hasn't been resolved and this is citywide, is motorcycle noise and that is something that the Police Department will be addressing citywide this spring.

Chairman Gatsas asked so you feel that Strange Brew is holding up to...

Sgt. Disabato interjected without putting restrictions on the license we talked about things and he is doing them on his own. I talked to one of the residents of 77 Market Street who was very vocal in this whole thing in December and she was pleased as of that date.

Alderman Osborne stated automobiles as far as decibels or noise making compared to a motorcycle there is such a big difference. If a car runs around with no muffler they get tagged but some of these motorcycles make more noise than 10 cars so whatever becomes of that?

Sgt. Disabato replied that is an issue that my officers, the community policing officers, along with the traffic division have been discussing during the winter. The department does have two decibel meters, which would regulate the sound. The only problem that

we can see with that is you have to rev...there are certain specifications according to the RSA. You would have to rev the engine to 3,000 rpms and hold it at a certain thing and a lot of these motorcycles don't have tachometers on them so how are we going to find out if it is at 3,000? Basically our enforcement is going to be if it is a straight pipe which is more or less causing the noise, it is a modified exhaust and shouldn't be there and that is our game plan.

On motion of Alderman Forest, duly seconded by Alderman Osborne, it was voted to receive and file this item.

12. Suggestion to send letters to non-profit organizations asking them for payment in lieu of taxes made by former Alderman Pariseau at the 11/20/01 BMA meeting and referred to the Committee on Administration.

This item remained on the table.

NEW BUSINESS

Deputy Clerk Normand stated I have an item regarding a hot dog vendor who...as you are well aware the ordinance does not permit vending after 8 PM. In the past, most applicants have received or obtained permission from the Committee on Administration to extend that so they can operate at the local establishments at night. To date we still have not had a problem with any of those people who have been extended. I have a copy here that I will pass out officially requesting this. This is for Terry Casey and Dave Brisson of Standing Room Only to operate in front of Charley Peppers and I have permission here from Charley Peppers allowing that.

Alderman O'Neil asked wasn't there someone doing this already.

Deputy Clerk Normand answered yes.

Alderman O'Neil asked and we didn't have any problems with it.

Deputy Clerk Normand answered not at all.

Alderman O'Neil asked is Alderman Guinta fine with this.

Alderman Guinta answered I am but I would like to monitor it. I don't know how feasible that is but maybe if the Police Department could check to see if there are any additional concerns that this creates. I would hope and expect that it doesn't create any but if it does I think the first issue would be people congregating there. That is a tight area on that corner. My first concern would be people exiting in the evening or in the early morning and walking into the street for example. I am fine with it. If they are

looking to expand it at some point, assuming that everything goes well then we can continue it. Were we already doing this?

Deputy Clerk Normand replied yes, Joe Tremble, the one who was granted permission to Standing Room Only. We had no problems with Mr. Tremble but by ordinance this new group has to come in and receive permission from them to operate after 8 PM.

On motion of Alderman Guinta, duly seconded by Alderman O'Neil, it was voted to approve a request for Terry Casey and David Brisson of Standing Room Only to extend the operating hours of their hot dog cart in front of Charley Peppers at 1181 Elm Street from 8 PM until 2 AM.

There being no further business, on motion of Alderman O'Neil, duly seconded by Alderman Guinta, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee